

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE:)
)
AMANDA BROOKE ECHOLS,) CHAPTER 13
SSN XXX-XX-1714,) CASE NO. 15-82747
)
DEBTOR.)

**OBJECTION TO PROOF OF CLAIM
AND NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW the Debtor, and objects to Claim number 5 of Bass & Associates P.C. filed on October 28, 2015 on behalf of United Consumer Financial Services in the amount of \$1,104.53 with interest accruing at 24.32%. The grounds alleged for the Objection are that under the case of *Till v. SCS Credit Corp.*, 124 S.Ct. 1951 (2004), the Debtor is entitled to pay interest on the secured claim at the plan rate of interest, not the contract rate of interest.

Wherefore, Debtor moves this Court to reduce the interest on the claim as filed by the claimant to the plan rate of interest of 5.25%.

NO HEARING WILL BE CONDUCTED ON THIS OBJECTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE U.S. BANKRUPTCY COURT AND A COPY SERVED ON THE PARTY FILING THIS OBJECTION AND THE CHAPTER 13 STANDING TRUSTEE WITHIN 30 DAYS FROM DATE OF SERVICE HEREOF, UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH REQUEST FOR A HEARING. IF NO RESPONSE IS TIMELY SERVED AND FILED, THE OBJECTION TO PROOF OF CLAIM AS TO INTEREST SHALL BE DEEMED UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, IT WILL BE SET FOR A HEARING BEFORE THE JUDGE.

/s/Jackie Ferguson Graham
Jackie Ferguson Graham
Attorney for Debtor
FERGUSON & FERGUSON
303 Williams Avenue SW, Suite 321
Huntsville, AL 35801
(256) 534-3435
Email: fandfbank@aol.com

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been served upon the following:

Bass & Associates, P.C. c/o Susan Karder 3936 E. Ft. Lowell Suite 200 Tucson, AZ 85712 and the Chapter 13 Trustee by U.S. mail or electronically through the ECF system.

This the 5th day of November, 2015.

/s/Jackie Ferguson Graham

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE:)
)
AMANDA BROOKE ECHOLS,) CHAPTER 13
SSN XXX-XX-1714,) CASE NO. 15-82747
)
DEBTOR.)

**OBJECTION TO PROOF OF CLAIM
AND NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW the Debtor, and objects to Claim number 5 of Bass & Associates P.C. filed on October 28, 2015 on behalf of United Consumer Financial Services in the amount of \$1,104.53 with interest accruing at 24.32%. The grounds alleged for the Objection are that under the case of *Till v. SCS Credit Corp.*, 124 S.Ct. 1951 (2004), the Debtor is entitled to pay interest on the secured claim at the plan rate of interest, not the contract rate of interest.

Wherefore, Debtor moves this Court to reduce the interest on the claim as filed by the claimant to the plan rate of interest of 5.25%.

NO HEARING WILL BE CONDUCTED ON THIS OBJECTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE U.S. BANKRUPTCY COURT AND A COPY SERVED ON THE PARTY FILING THIS OBJECTION AND THE CHAPTER 13 STANDING TRUSTEE WITHIN 30 DAYS FROM DATE OF SERVICE HEREOF, UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH REQUEST FOR A HEARING. IF NO RESPONSE IS TIMELY SERVED AND FILED, THE OBJECTION TO PROOF OF CLAIM AS TO INTEREST SHALL BE DEEMED UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, IT WILL BE SET FOR A HEARING BEFORE THE JUDGE.

/s/Jackie Ferguson Graham
Jackie Ferguson Graham
Attorney for Debtor
FERGUSON & FERGUSON
303 Williams Avenue SW, Suite 321
Huntsville, AL 35801
(256) 534-3435
Email: fandfbank@aol.com

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been served upon the following:

Bass & Associates, P.C. c/o Susan Karder 3936 E. Ft. Lowell Suite 200 Tucson, AZ 85712 and the Chapter 13 Trustee by U.S. mail or electronically through the ECF system.

This the 5th day of November, 2015.

/s/Jackie Ferguson Graham